

# METRO

## Amending sentence questioned

Federal judge defends action

By Joe D'Amico  
Metropolitan Editor

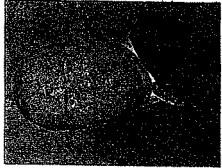
U.S. District Judge Thomas Porteous, while serving his final term in office, has amended the sentence of a convicted burglar, saying the change was necessary to protect the public.

Porteous, a judge in the 24th Judicial District for 10 years, said he amended the sentence of Anthony Wallace, 35, of Marrero, La., to a 10-year term, because he had known the freed felon for years and believed Wallace could turn his life around.

Wallace had told the judge he wanted the amendment so one day he could get a job and support his family. Wallace had a clean criminal record, a state-regulated job that requires a clean criminal record, and a new wife. Wallace had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction.

amended Wallace's sentence in September, and then expunged the burglary conviction just two months later. Wallace was on the federal bench in October 1994, apparently after his FBI record had been cleared. Wallace's job change.

state and federal agencies that receive information from the FBI investigate this one because of Porteous' job change. Meanwhile, the state commission has been investigating the matter, but a complaint with the U.S.



U.S. DISTRICT JUDGE THOMAS PORTEOUS  
Crime commission has complaint

See SENTENCE, next page

B-2 SUNDAY, MARCH 19, 1989 THE TIMES-PICAYUNE

### CONTINUED...

## Sentence

From B-1

pleaded "unintentionally" because he was in prison on an unrelated drug conviction. Porteous' request, removed the unsatisfactory probation from his original plea to a criminal case. Wallace had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction.

On Oct. 14, 1984, he was sentenced to 10 years in a federal prison. Porteous expunged Wallace's burglary conviction, saying it was a mistake. He said Wallace should have been allowed to plead guilty to the burglary

sion's managing director. "This is a case of a boy network in a slow and steady" manner.

At the time Porteous expunged his burglary conviction, Wallace had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction.

Wallace's conviction was not expunged under state law. Only the governor can pardon a conviction. Porteous said it was necessary to clear Wallace's criminal record. A State Pardon Commission would have to grant the pardon.

On the burglary conviction, Porteous expunged Wallace's conviction, saying it was a mistake. He said Wallace should have been allowed to plead guilty to the burglary

under a state law that allows reformation of a probation record. He said Wallace would have been a better person if he had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction.

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district attorney's office. When Porteous was asked what his intentions were, he said he was not sure. He said Wallace would have been a better person if he had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction.

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serious political repercussions. Porteous said he was not sure. He said Wallace would have been a better person if he had been in prison for 10 years for a burglary conviction. He had been in prison for 10 years for a burglary conviction.

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MCC0235

(Mount Clipping in Space Below)

## \$80,000 house is used as surety for \$300,000 in bonds

Most would agree that the little house at 222 Aurora Ave. in Metairie is a pleasant enough place to live. It's in pretty good shape. The neighborhood is nice and quiet. There's a church nearby.

But it's not worth \$300,000. Still, that was the amount of the bonds of three suspected felons who got out of jail when a bondsman put up the house as security.

Courthouse records show that the house is owned by Metairie bail bondsman Adam Barnett, who has pledged it as surety three times between October and May to get suspects whose charges ranged from theft to attempted murder — out of jail. In each case, the bonds exceeded the value of Barnett's house.

Records show that the property is assessed for \$80,000, but is worth less than that because of a \$57,000 mortgage. But Judges Jacob Karno and Thomas Porteous signed bonds totaling \$300,000 when the house was pledged.

"The judge was wrong for having signed that bond," said Guy Ruggiero, president of the Association of Louisiana Bail Underwriters. "The honest way to do a property bond is take the assessed value, less any mortgages, and that is what you can use your property for."

The judges acknowledge the discrepancy between the value of the house and size of the bonds. Porteous said that if the two bonds he approved crossed his desk again, he probably wouldn't sign them.

But both judges said they didn't do anything wrong, citing the wide discretion that bond laws give them. And Karno said he considers more than the value of a house when approving a property bond — he holds the bondsman and all of his property

liable.

The judges also said their main concern was that the suspects showed up for court.

"I don't see what the concern is. He showed up, didn't he?" Karno said when asked about the \$100,000 bond he signed for James Snyder, who is charged with attempted murder and armed robbery. "You look at a lot of factors. How long has the defendant been here, how long has the person signing the bond been here. I've known Adam (Barnett) since he was born."

Still, the district attorney's office was concerned enough about the integrity of the surety that it decided to challenge one of the bonds — a \$50,000 bond put up by Barnett to get theft suspect Tracey Ireland out of jail.

Since being released in February, Ireland was arrested again in Florida and extradited back to Jefferson Parish. She sat shackled in court Thursday as Barnett, his father Ralph, who is also his attorney, and an official from the district attorney's office discussed the value of the Aurora Avenue property.

(Indicate page, name of newspaper, city and state.)

PAGE B-3

TIMES PICAYUNE, NEW ORLEANS

Date: 9/14/93

LA.

Title: JEFFERSON PARISH CONTROL FILE

Character: CSLPO

or Classification: 194B-15

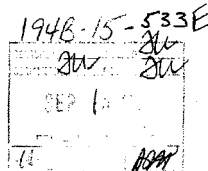
Submitting Office: NEW ORLEANS

But before the district attorney could challenge the bond in court, Barnett withdrew it — essentially leaving Ireland with no bond — and the bailiffs took her back to jail. "It made the whole thing moot," said Henry Sullivan of the district attorney's office bonds division.

Barnett would not discuss the bond except to say that he had done nothing illegal. And he had not, under the law in place at the time, officials said. But under the bond reform act, which took effect in June, he could be thrown in jail if he did it now.

The new law says that property pledged as surety must be worth one-and-a-half times the amount of the bond. That was done, officials said, to ensure the court isn't left empty-handed if a suspect decides not to appear in court.

HP Exhibit 119(z)



copy to PC-AU-5-1

SC EXHIBIT - 00036

**SEALED BY  
COURT ORDER**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF LOUISIANAU.S. COURT OF APPEALS  
**FILED**IN RE: GRAND JURY TESTIMONY : MISC. NO. 04-29

OCT 19 2004

CHARLES R. FULBRIDGE JR.  
CLERKR U L I N G

On August 19, 2004, and September 9, 2004, Mr. Claude C. Lightfoot, Jr. gave testimony before the Grand Jury considering *inter alia* the conduct of Judge Gabriel Thomas Porter, Jr. (Judge Porteous) in connection with his bankruptcy proceeding filed in the Eastern District of Louisiana. Mr. Lightfoot is an attorney specializing in bankruptcy matters who represented Judge Porteous and his wife in connection with their bankruptcy proceeding. On several occasions, Mr. Lightfoot left the grand jury room and consulted with Judge Porteous's attorney who objected to a number of questions addressed to Mr. Lightfoot on grounds of attorney/client privilege. Counsel objected to and refused to answer questions in the following areas:

1. What discussions were had between counsel and Judge Porteous with regard to not sending Regions Bank a work out letter?
2. The scheduled listed wedding rings. Did counsel discuss with Judge Porteous whether there was an engagement ring?
3. What discussions were had with Judge Porteous and what

SC00795

HP Exhibit 122(b)

advice and instructions did counsel give him about what information to include or not include on the bankruptcy forms?

4. What discussions did counsel have with Judge Porteous about what amount to include as his monthly income?
5. What discussions did counsel have and what advice and instructions did he give Judge Porteous about compliance with the order confirming the bankruptcy plan?
6. What discussions did counsel have and what advice and instructions did counsel give Judge Porteous about his discharge in bankruptcy?
7. What discussions did counsel have with Judge Porteous about the names that appear on the original petition (Ortous)?

The questions related to items 2,3,4 and 7 are covered in principle by the court's ruling of June 21, 2004. These questions call for communications between Judge Porteous and counsel concerning data to be included in the public papers to be filed in connection with the bankruptcy proceeding. As the earlier ruling makes clear, when information is disclosed to counsel for the purpose of being incorporated into a bankruptcy petition or other public filing, there is no intent for the information to be held in confidence. See U.S. v. White, 950 F.2d 426 (7<sup>th</sup> Cir. 1991). Accordingly, the objections to disclosing the information covered

by items 2,3,4 and 7 are overruled and the witness is directed to answer these questions.

Item 1 concerns discussions between counsel and Judge Porteous relating to not sending Regions Bank a workout letter. We agree with the government's argument set forth in its memorandum filed under seal, that the attorney client privilege does not apply to this communication because of the crime-fraud exception and that the government has made out a prima facie case of a crime or fraud reasonably related to this inquiry.<sup>1</sup> The objection to disclosure of the information called for in this question is therefore overruled and the witness is directed to answer this question.

Issue 5 relates to communications between Judge Porteous and Mr. Lightfoot about compliance with the order confirming the bankruptcy plan. We agree with the government's argument set forth in its memorandum filed under seal, that the attorney client privilege does not apply to this communication because of the crime-fraud exception and that the government has made out a prima facie case of a crime or fraud reasonably related to this inquiry. Accordingly, the objections to questions on this issue are overruled and the witness is directed to answer these questions.

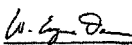
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<sup>1</sup> Accordingly, we reject the argument that in the grand jury context, a target or witness is entitled to rebut the government's prima facie showing under seal that a crime or fraud has been committed. See In re Grand Jury Proceedings (Violante), 183 F.3d 71 (1st Cir. 1999); In re: Grand Jury Subpoena, 223 F.3d 213 (3d Cir. 2000); In re Grand Jury Proceedings (Doel), 1993. U.S. App. LEXIS 1247 (9th Ci. 1993).

Issue 6 calls for testimony from counsel about advice and instructions he gave Judge Porteous about his discharge in bankruptcy. We are not persuaded that the government has demonstrated a reasonable relationship between any fraudulent or criminal activity and the information called for by this question. Therefore the objection to questions relating to counsel's advice about the discharge in bankruptcy are sustained.

The court has concluded that it does not need oral argument and therefore counsel's motion for oral argument is DENIED.

Lafayette, Louisiana this 19th of October, 2004.

  
\_\_\_\_\_  
W. EUGENE DAVIS  
United States Circuit Judge  
Sitting by Designation

01:38 1 JUDGE LAKE: Please come forward and be sworn.  
2 Do you solemnly swear that the testimony you  
3 shall give in this proceeding will be the truth, the whole  
4 truth, and nothing but the truth, so help you God?  
01:39 5 THE WITNESS: I do.  
6 **CLAUDE C. LIGHTFOOT, JR., DULY SWORN, TESTIFIED:**  
7 **DIRECT EXAMINATION**  
8 BY JUDGE PORTEOUS:  
9 Q. Mr. Lightfoot, just state your name for the record, please.  
01:39 10 A. Claude C. Lightfoot, Jr.  
11 Q. And the government has previously provided you with an  
12 application for compulsion to testify?  
13 A. I'm here today under subpoena.  
14 Q. Do you understand you have immunity?  
01:39 15 A. I do.  
16 Q. So that anything you say can't be used against you unless  
17 there's a perjury or a false statement?  
18 A. Yes.  
19 Q. I think, generically, that's it.  
01:39 20 A. That's right.  
21 JUDGE BENAVIDES: Let me ask a procedural question.  
22 He was here under subpoena but -- and you were ready to grant  
23 immunity, but you didn't use him. Is it your position that  
24 he -- while being called by another party, that immunity is  
01:39 25 still extended?

*Cheryll K. Barron, CSR, CM, FCRR*

713.250.5585

**HP Exhibit 124**

01:40 1 MR. WOODS: That would be our position, your Honor.  
2 I'm sure that he feels that he has immunity because we've  
3 interviewed him at length with that understanding, that  
4 immunity --

01:40 5 JUDGE BENAVIDES: With that. Okay. I understand.  
6 MR. WOODS: -- is he provided to him.  
7 JUDGE BENAVIDES: I understand.  
8 MR. WOODS: And, so, he understands everything he has  
9 given to us is under the immunity order. And we have no  
01:40 10 objection to him testifying for the defense under that same  
11 understanding.

12 JUDGE PORTEOUS: Is the Court satisfied that he has  
13 immunity?  
14 BY JUDGE PORTEOUS:

01:40 15 Q. Mr. Lightfoot, you were my attorney ultimately in this  
16 bankruptcy proceeding. Is that correct?  
17 A. I was.  
18 Q. Initially we met -- I don't remember how many times, but we  
19 met a couple of times before we even sat down to talk about,  
01:40 20 anything, I mean, other than, "How is the bankruptcy? Where do  
21 I stand, Claude," that kind of thing?  
22 A. Well, we first started on a workout proposal --  
23 Q. Right.  
24 A. -- hoping to avoid bankruptcy.  
01:40 25 Q. Now, that started sometimes in November/December of 2000 --



01:40 1 2000?

2 A. That sounds right.

3 Q. And the workout order was an effort for -- was -- why did  
4 you do -- why did I ask you to do that?

01:41 5 A. Well, we wanted to avoid having to file bankruptcy. You  
6 had some equity in your home. And my goal was to do an  
7 analysis of what the creditors would have gotten from your  
8 assets, which I did, the liquidation analysis. And I sent an  
9 appraisal, that analysis, and a letter explaining everything to  
10 the creditors.

11 Q. And when you did that, I asked you to exclude Regions?

12 A. That's true.

13 Q. Did you appreciate that as being an attempt at fraud for  
14 Regions?

01:41 15 A. Well, the -- the creditors who got the workout were all  
16 credit card creditors. Regions was a small, I believe, \$5,000  
17 personal loan at the local bank. And it was my understanding  
18 you felt you could handle them on your own if only we could get  
19 the bulk of the debt to go along with a workout.

01:41 20 JUDGE LAKE: Will you pull the microphone to you, sir?

21 JUDGE PORTEOUS: Yeah, pull --

22 THE WITNESS: I'm sorry.

23 JUDGE LAKE: Thank you.

24 BY JUDGE PORTEOUS:

01:42 25 Q. Now, in January of 2001, I signed a renewal on that Regions

01:42 1 Bank. You may not know that, but I signed a renewal.  
2 A. No, I don't know that.  
3 Q. Okay. Assuming I did that, at that point in time had we  
4 had a definite understanding that I was filing bankruptcy come  
01:42 5 March?  
6 A. Not at that point.  
7 Q. At that time we were still trying to work out?  
8 A. That's --  
9 Q. All right. Now, ultimately, it was filed with the name  
01:42 10 Ortous?  
11 A. Yes.  
12 Q. Whose idea was that?  
13 A. Mine. It was a stupid idea.  
14 Q. Now, you gave it to me; and I signed it?  
01:42 15 A. Yes.  
16 Q. Now, granted that the document says I've read it and I  
17 swear to it and everything. Was it done with any intent to  
18 defraud?  
19 A. The reason for my idea was to hope to save you  
01:42 20 embarrassment in the newspaper. And I knew that we would  
21 correct the name, address, et cetera prior to any notice going  
22 out to creditors. And, in fact, that was done.  
23 And, so, the -- of course, looking back, it's a  
24 stupid idea; and I was wrong to do it. But the goal was to  
01:43 25 prevent embarrassment, because at that time they were

01:43 1 publishing all the debtors in the newspaper. And, of course,  
2 for most people, it's a very anonymous process; no one knows  
3 who they were. And I was -- I was concerned about  
4 embarrassment for you.

01:43 5 Q. All right. But I signed it nonetheless?  
6 A. Yes.  
7 Q. Did any creditor get that notice?  
8 A. No notice was issued off of that petition. So, no.  
9 Q. The only notice the creditors got were with the correct  
01:43 10 names, accounts, and everything?  
11 A. That's correct.  
12 Q. It appears that I may have omitted a checking account with  
13 some \$600. Did you get the impression I was trying to do  
14 anything in this bankruptcy?

01:43 15 A. Well, I -- you know, I collected the information from you  
16 the same way that I did for all cases like that, that I do.  
17 And I don't know what was omitted, but certainly all bank  
18 accounts should have been listed.  
19 Q. Right.

01:44 20 A. And I thought they had been.  
21 Q. Okay. The -- ultimately there was a meeting of creditors?  
22 A. Yes.  
23 Q. And I appeared at that?  
24 A. You did.

01:44 25 Q. Did any creditor appear?

01:44 1 A. No.  
2 Q. And, in fact, creditors who were listed, not all of them  
3 actually ultimately filed claims. Is that right?  
4 A. That's true. I believe -- if I'm remembering right, it was  
01:44 5 a pretty hefty percent. About 40 percent of the dollar amounts  
6 did not file claims.  
7 Q. And that's their choice?  
8 A. It happens.  
9 Q. All right. Ultimately, did I get to the percentage sooner  
01:44 10 because there were less creditors?  
11 A. When that happens in a pot plan, as we have in this  
12 district, the -- the trustee will adjust the percentage of  
13 those. We provided a certain percentage based on the scheduled  
14 creditors.  
01:45 15 When not all of those creditors filed claim, that  
16 allowed the proposed funding of the plan to reach a higher  
17 percentage for those who did file claims. And the trustee  
18 adjusted the percentage, as I -- as I expected that he would.  
19 Q. All right. I did get a tax return in that year. I  
01:45 20 remember calling you, but you've indicated you don't remember  
21 me talking to you.  
22 A. About a tax return?  
23 Q. Yeah.  
24 A. I don't.  
01:45 25 Q. But you have a standard procedure that you tell your

01:45 1 clients when they get them, isn't it?  
2 A. Well, it has changed over the years. At that time --  
3 Q. I'm talking at that time.  
4 A. At that time, the trustee -- it was not included in the  
01:45 5 confirmation order that the debtor turn over either tax returns  
6 or tax refunds from year to year as the plan progresses. That  
7 was not required at that time.  
8 Sometimes the trustee would ask, depending on the  
9 time of year, "Are you expecting a refund? Did you -- are you  
01:46 10 holding a refund" and would ask that it be turned over. And  
11 many times, however, though, the trustee wouldn't ask. And  
12 like I say, there's a cycle to that; and that's the way it was  
13 at that time.  
14 Q. And -- and you don't know if he did or did not ask during  
01:46 15 this proceeding?  
16 A. I know that he never asked me did you turn over any tax  
17 refund.  
18 Q. And never asked about tax returns.  
19 A. No.  
01:46 20 CHIEF JUDGE JONES: Which trustee are you talking?  
21 JUDGE PORTEOUS: Mr. Beaulieu, your Honor.  
22 BY JUDGE PORTEOUS:  
23 Q. Is that correct?  
24 A. That's correct.  
01:46 25 Q. Mr. Beaulieu ultimately, for a lack of a better

01:46 1 description, managed this bankruptcy, did he not? Is that not  
2 where I sent checks and sent payments?

3 A. He was the trustee and the disbursing agent for the monies  
4 under your plan.

01:46 5 Q. All right. And as far as you know, I was timely  
6 throughout?

7 A. Right down the line until you finished.

8 Q. Now, post petition debts that are incurred, they're not  
9 supposed to be incurred?

01:46 10 A. That's true.

11 Q. If they are incurred, what was the Eastern District's  
12 methodology of dealing with that?

13 A. It hasn't changed. If it's a debt that is coming up that  
14 the debtor knows that the debtor needs -- for example, to  
01:47 15 refinance a car or something that was essential, a repair to  
16 the house -- but it has to be incurred on credit, the normal  
17 process in the Eastern District was that we would go -- we  
18 would file a motion for authority to do that.

19 Q. And we did that, in fact, I believe in mine?

01:47 20 A. Well, the procedure was a little different because we had  
21 Judge Greendyke; and they did things a little differently in  
22 Houston.

23 So, the -- Mr. Beaulieu, the local Chapter 13  
24 trustee -- I remember when I called, what I recall is that  
01:47 25 your -- the car leases came up for replacement or renewal, and

01:47 1 it was a question of whether there would be the same or similar  
2 payment. And I did call the trustee to ask what procedure, "Do  
3 I file a motion?"

4 And he said no. He talked with Judge Greendyke's  
01:48 5 normal trustee -- 13 trustee, I believe, and they had a less  
6 formal method of doing it, where we would write and ask the  
7 trustee for permission and the trustee would respond, which is  
8 what we did.

9 Q. Okay. I'm talking about unsecured debts, if those are  
01:48 10 incurred.

11 A. Well, generally, I mean, if one is incurred with Court  
12 authority, then you're -- you get to --

13 Q. No. I'm saying --

14 A. -- modify your plan and put it in your plan.

01:48 15 Q. I'm saying without Court authority.

16 A. Without the Court authority, then the plan has not provided  
17 for the debt; so, the debt can't be discharged, wasn't listed.

18 Q. And that has occurred, I'm sure, in your bankruptcy  
19 practice?

01:48 20 A. It has occurred, and I've -- I've had clients come and tell  
21 me that they did it. And I've said, "Well, you knew you  
22 shouldn't have done it; and now we need to go to the Court and  
23 ask for the Court to ratify it."

24 And sometimes the Court has said, "This is a --  
01:48 25 not a significant enough reason to incur the debt, and we're

01:48 1 not going to let you put it in the plan"; and other times it  
2 was in the nature of an emergency room bill, an involuntary  
3 debt, and they would allow it.

4 Q. Has any debtor, as far as you know, been held in contempt  
01:49 5 with that?

6 A. Never heard of that.

7 Q. Has any debtor been referred for criminal prosecution, as  
8 far as you know?

9 A. I've not heard of that.

01:49 10 Q. That's in the Eastern District?

11 A. That's the only place I'm regularly practicing.

12 Q. Did this -- wasn't there some period of time that elapsed  
13 from the end of my bankruptcy until it was -- ultimately the  
14 order of discharge was signed?

01:49 15 A. There was. I remember you called me a couple of times to  
16 ask when would the discharge come out.

17 Q. Do you have any idea why that might have occurred?

18 A. It -- I know that it was delayed, and I suspected it was  
19 probably due to the Houston Court/New Orleans administration  
01:49 20 delays. That's all I know about.

21 Q. Were you aware that the FBI may have had contact with  
22 Mr. Beaulieu before the discharge?

23 A. No.

24 Q. Okay.

01:50 25 JUDGE PORTEOUS: I don't have any further questions.



01:50 1 CHIEF JUDGE JONES: All right, sir.  
2 JUDGE PORTEOUS: This is your original, I believe, is  
3 it not?  
4 MR. WOODS: Thanks, Judge.  
08:55 5 **CROSS-EXAMINATION**  
6 BY MR. WOODS:  
7 Q. Mr. Lightfoot, you've testified in front of the grand jury  
8 three times. Is that correct?  
9 A. Yes, sir.  
01:50 10 Q. The first two times you refused to answer a number of  
11 questions, on attorney-client privilege?  
12 A. Yes, sir.  
13 Q. And eventually a court order was issued on a crime fraud  
14 exception and you were compelled to testify under immunity  
01:50 15 order and by the order of the judge, saying that there -- that  
16 the attorney-client privilege cannot be invoked because of  
17 certain testimony?  
18 A. That's as -- I understand it to be that way.  
19 Q. And you told the judge that you started working on this  
01:50 20 case in November or December. Didn't you submit an affidavit  
21 to the trustee to justify your expenses that you started in  
22 June of 2000?  
23 A. That could be. I mean, I'm trying to remember back. It's  
24 going back a number of years; but I know that, for several  
01:51 25 months, I worked on the workout --

01:51 1 Q. Yes.  
2 A. -- to avoid the bankruptcy.  
3 Q. And December was basically the final plea on the workout,  
4 right?  
01:51 5 A. That could be. I -- you know, I --  
6 Q. Did you review your file before today?  
7 A. Yes, I did. I did. And I just -- I hadn't -- hadn't  
8 really focused as much on the workout period before the filing  
9 is what you --  
01:51 10 Q. Do you recall saying that two of the creditors' attorneys  
11 were the ones that were holding it up and, after they refused  
12 to go along, that you then understood you had to file  
13 bankruptcy?  
14 A. That's correct.  
01:51 15 Q. And that was after you sent the letters in December. They  
16 shortly, then, refused to go along in January or so?  
17 A. And I had been sending multiple letters over the months,  
18 as --  
19 Q. Right.  
01:52 20 A. -- you say.  
21 Q. Since June, right?  
22 A. As you say. And, then, finally I got a couple of lawyers  
23 on two of the accounts, local lawyers; and I thought finally  
24 maybe somebody will read my package that I prepared, this  
01:52 25 analysis; and I did get them to read it.

01:52 1                    Their clients had not advised them they had even  
2 received it. And they did go to their clients and talk about  
3 it, and at least one called me back and said that they --  
4 Q. Do you recall that --  
01:52 5 A. -- at least one called me back to advise that the client  
6 would not authorize settlement.  
7 Q. Do you recall that being in January?  
8 A. That sounds about right, within the time frame.  
9 Q. And you also recall telling us that you always thought that  
01:52 10 Regions Bank was an installment loan?  
11 A. That's true.  
12 Q. Did you have a copy of that in your file?  
13 A. Didn't -- I may have had an invoice, but I don't -- I  
14 didn't have a copy of the note or -- I just thought it was an  
01:52 15 installment, a monthly payment that --  
16 Q. When we went over the file with you about a month ago,  
17 wasn't there a copy of the Regions Bank loan in your file?  
18 A. There was something from Regions in -- in the file.  
19 Q. Yeah.  
01:53 20 A. And if it indicated that it wasn't an installment loan,  
21 then I just missed that.  
22 Q. You just missed it, as you've told us?  
23 A. Yes.  
24 Q. Okay.  
01:53 25                    All right. You've told the Committee that you

01:53 1 felt the judge was trying to pay off the Regions Bank loan so  
2 that it would not be listed in the list of creditors. Is that  
3 your testimony?

4 A. No, that's not true. At the time of the workout, he felt  
01:53 5 that he would rather me not send the workout proposal to  
6 Regions because if we had enough of the credit card creditors  
7 that would go along with the workout proposal that he would be  
8 able to handle Regions on his own and he had an acquaintance  
9 there that he would prefer to pay that loan. And I thought it  
01:54 10 was a small installment loan. And at that point, that -- that  
11 was the reason for not mailing to Regions.

12 As I remember, when we filed the bankruptcy,  
13 Regions was listed because they were --

14 Q. Right.

01:54 15 A. -- a loan.

16 Q. Right. And, then, at that time, you knew it was a \$5,000  
17 loan?

18 A. Correct.

19 Q. And were you aware or did you subsequently become aware  
01:54 20 that Judge Porteous was paying off casinos several thousand  
21 dollars and also a Fleet Credit Card for 1,088 right before the  
22 bankruptcy?

23 A. I've heard mention of that from meeting with -- with the  
24 Government and with you, but I did not know that.

01:54 25 Q. Okay. Were you aware that that money could have been

01:54 1 applied to Regions Bank as opposed to making preferred payments  
2 to casinos to keep that credit going and preferred payment to  
3 Fleet Credit Card to keep that credit going?  
4 A. Well, sure. The money could have been used other ways. I  
01:55 5 didn't -- I'm not aware of any other payments like that.  
6 Q. Were you ever advised by the judge that he had made a  
7 payment to Fleet Credit Card right before the bankruptcy filing  
8 March 28?  
9 A. No.  
01:55 10 Q. Were you ever advised by the judge that he had made  
11 payments on casino debt?  
12 A. No. In fact, I was never aware of any casino debt.  
13 Q. In fact, doesn't it call on -- the petitions and the  
14 schedules that you give the judge to fill out, doesn't it call  
01:55 15 for one of the blanks to list all losses for the prior year,  
16 including gambling losses?  
17 A. That's true.  
18 Q. And did the judge put zero there?  
19 A. Yes.  
01:55 20 Q. Did you question him about that?  
21 A. I had no idea of any gambling.  
22 Q. Now, you mention, in his questions concerning the tax  
23 refund, the fact that the trustee has to ask for it. Isn't it  
24 true that on the schedules of the bankruptcy, there are two  
01:56 25 places where you're to check that you expect a tax refund?

01:56 1 A. That's true. It's an asset. If you have a liquidated  
2 refund owing to you at the time you file, it should be listed.  
3 Q. And if the person checks "no," there's no reason why the  
4 trustee would then ask about a tax refund. Is that correct?  
01:56 5 A. Oh, no. There's a good reason why the trustee would ask,  
6 because the trustee knows there's a cycle; and at certain times  
7 of the year, regardless of what the schedules say, the trustee  
8 would ask about tax refunds.  
9 Q. And if he's assured at March 28th -- or April 9th, rather,  
01:56 10 when the petition was filed with your amended petition listing  
11 the true name, on April the 9th when the schedule is checked  
12 "no," "Do you expect a tax refund," would that sometimes  
13 nullify or satisfy a trustee that he didn't need to inquire  
14 into that? Or are you saying that, "Oh, no, that's okay to  
01:57 15 just check 'no'?"  
16 A. No, I don't -- I don't think it's okay to check "no" if  
17 indeed you should list a liquidated refund that's owing to you.  
18 And if you had, it certainly would flag it for the trustee.  
19 Q. A true answer would flag it to the trustee?  
01:57 20 A. That's true.  
21 Q. Now, on your schedules that you provided to the judge to  
22 fill out, did he list the true balance in his bank account when  
23 he stated \$100 in Bank One?  
24 A. I don't know if it was true or not. I asked him how much  
01:57 25 money did he have, and he told me that was the approximate --

01:57 1 Q. You didn't make any inquiry or ask for the most recent  
2 statement?  
3 A. No, I didn't.  
4 Q. In fact, this is -- on April 9th, '01, when you're filing  
01:57 5 the petition with the schedules, you're using a May, 2000, pay  
6 stub as his income. Is that correct?  
7 A. Yes. That was -- that was the check stub that I had.  
8 Q. Okay. And Judge Porteous just mentioned that he omitted  
9 one of his bank accounts for \$600. Had he told you about that  
01:58 10 bank account?  
11 A. No.  
12 Q. You asked -- you answered questions concerning the post  
13 petition debts, not supposed to but it's often done and that  
14 you go to the trustee or bankruptcy court and get them ratified  
01:58 15 after it's done. Is that your testimony to the judge?  
16 A. Well, when I have a -- when I've had a client who came in  
17 and said, "I've done this" -- and usually the -- how it comes  
18 up is some problem has arisen with the debt, there's someone  
19 trying to collect a debt.  
01:58 20 And the first thing we -- when a client will come  
21 in with that, I'll say, "Well, is this a debt that was listed  
22 in your schedules?" And we go and look. And if it is not a  
23 debt that was listed in the schedules, the first thing I want  
24 to know, "Well, was it a pre-bankruptcy debt or is it a post  
01:59 25 petition debt?"

01:59 1 And if it's a post petition debt and they've done  
2 what they know not to do -- because I tell them. I give them  
3 an explanation about Chapter 13 that tells them, generally the  
4 trustee at the meeting of creditors tells them. So, it's  
01:59 5 something that the debtors know not to do.

6 But when a debtor has done it, I have to -- I  
7 have to try to repair that and bring it to the Court's  
8 attention the best way that I can.

9 Q. Did Judge Porteous advise you that after filing the amended  
01:59 10 petition on April 9th, '01, that he incurred thousands of  
11 dollars of debt at casinos?

12 A. No.

13 Q. Would a Court ratify that?

14 A. No.

02:00 15 Q. Do you recall testifying in front of the grand jury that  
16 you were never told of other bank accounts, other than the one  
17 by Judge -- the Bank One account by Judge Porteous?

18 A. That's correct.

19 Q. Do you recall telling him -- or excuse me -- telling the  
02:00 20 grand jury that Judge Porteous made no mention of paying off  
21 credit cards before filing bankruptcy?

22 A. That's correct.

23 Q. And do you recall telling the grand jury that you never,  
24 never heard any mention of paying off casinos prior to the  
02:00 25 bankruptcy?



02:00 1 A. That's correct.  
2 Q. And do you recall telling the grand jury, on Page 77, that  
3 you were not told about any losses, nothing about gambling  
4 casinos?  
02:00 5 A. That's correct.  
6 MR. WOODS: Thank you.  
7 Pass the witness.  
8 JUDGE BENAVIDES: I have -- I have a question.  
9 I just want to get clear what was your  
02:00 10 understanding of why the box for "no" on refunds was checked,  
11 that there was going to be no refunds of tax.  
12 THE WITNESS: Well, we had been working on getting  
13 this ready for some time; and I wasn't aware that he was  
14 getting a refund. He didn't check --  
02:01 15 JUDGE BENAVIDES: So, he didn't tell you that?  
16 THE WITNESS: I didn't -- no, I was not aware of that.  
17 JUDGE BENAVIDES: But nonetheless, whether you  
18 inquired or not, the "no" box was checked?  
19 THE WITNESS: Correct.  
02:01 20 JUDGE BENAVIDES: All right. Would you have checked  
21 the "no" box for him if he -- if he hadn't told you that there  
22 was a -- that no refund was expected?  
23 THE WITNESS: I would check that box if the debtor  
24 tells me, "I'm entitled to a refund right now. I filed my  
02:01 25 return, and I'm waiting on my refund."

02:01 1 JUDGE BENAVIDES: And so -- and if they didn't tell  
2 you that, you would always put "no"?  
3 THE WITNESS: Correct.  
4 JUDGE BENAVIDES: So, if you didn't discuss it, you  
02:01 5 would make that declaration for them?  
6 THE WITNESS: I don't remember discussing, other than  
7 in general my advice to him about what the trustee's procedure  
8 was with the refunds at that time.  
9 JUDGE BENAVIDES: Well, what I'm saying is, you  
02:02 10 have -- you prepared that application, and that application  
11 checked "no." Was it your decision to check "no"?  
12 THE WITNESS: Oh, no, not my decision at all.  
13 JUDGE BENAVIDES: All right.  
14 THE WITNESS: He didn't --  
02:02 15 JUDGE BENAVIDES: So, whether you asked or not, the  
16 decision to check "no" was Judge Porteous'?  
17 THE WITNESS: That's true.  
18 JUDGE BENAVIDES: All right. Irrespective of whether  
19 other trustees asked about it or not or irrespective of whether  
02:02 20 they thought it was important or not, you knew, as a practicing  
21 bankruptcy attorney, that if one was expected, you should say  
22 "yes"?  
23 THE WITNESS: That's true.  
24 JUDGE BENAVIDES: That's all I have.  
02:02 25 CHIEF JUDGE JONES: Well, I'd like to follow up on

02:02 1 that a little bit because you said it would depend on the time  
2 of year; and your filing -- this petition was filed within two  
3 weeks of April 15th, was it not?

4 THE WITNESS: It was.

02:02 5 CHIEF JUDGE JONES: Why didn't you ask him about a tax  
6 refund?

7 THE WITNESS: I guess I didn't think of it because I'd  
8 been working on it since January, or even before.

9 CHIEF JUDGE JONES: It wasn't filed at the last  
02:03 10 minute, in a rush, was it? There's no fear of foreclosure?

11 THE WITNESS: No, ma'am. I'll answer you this way,  
12 that the Chapter 13's are different in that regard than the 7's  
13 because the 7 trustee is always going to ask about and expect  
14 to know about a refund and the Chapter 13, since the debtors  
02:03 15 are paying over a three to five year period, paying --

16 CHIEF JUDGE JONES: Well, all I can say about that,  
17 sir, is Mr. Heitkamp was testifying just the opposite about the  
18 practice in Texas; and I have some experience in bankruptcy.  
19 And disposable income is disposable income, is it not, sir?

02:03 20 THE WITNESS: That's true, yes, ma'am.

21 CHIEF JUDGE JONES: All right. Did -- but you said  
22 you didn't know anything about gambling. Didn't -- didn't you  
23 and Judge Porteous ever discuss how he had come to have  
24 \$180,000 in credit card debt?

02:03 25 THE WITNESS: We had a general discussion about it,

02:03 1 and my impression was that it had built up from him trying to  
2 educate his kids and charges made by his wife. And I -- there  
3 was no discussion of -- no mention of gambling at all.

4 CHIEF JUDGE JONES: I mean, even -- even in 2000, it  
02:04 5 wasn't usual for a debtor to come in with 13 credit cards, was  
6 it?

7 THE WITNESS: In my practice, that's not unusual,  
8 Judge.

9 CHIEF JUDGE JONES: Well, now, it's not that common  
02:04 10 either, though.

11 THE WITNESS: Well, back then it was less common than  
12 now.

13 CHIEF JUDGE JONES: Yes. And my other point I would  
14 say is that, you know, my -- about the time that -- you can't  
02:04 15 keep a thing like this secret. And water-cooler word in the  
16 judiciary within a week or so after Judge Porteous filed was  
17 that he had run up credit card debts gambling.

18 And you're telling us, as his counsel, in whom he  
19 had confided for months and months before the time that he  
02:04 20 was -- that he filed this petition, when he continued to gamble  
21 almost every week before and after he filed bankruptcy, that  
22 you had no earthly idea that this was because of gambling?

23 THE WITNESS: I didn't. I never knew him before, and  
24 I -- I really didn't know that gambling was an issue with the  
02:05 25 judge.

02:05 1 JUDGE BENAVIDES: And to follow that up, so -- so that  
2 if judge -- you inquired about his debts?

3 THE WITNESS: Yes, sir.

4 JUDGE BENAVIDES: And so -- and you were there and the  
02:05 5 trustee advised him about incurring debt and you -- I think you  
6 indicated that you also advised him about not incurring debt  
7 without permission.

8 THE WITNESS: Yes, sir.

9 JUDGE BENAVIDES: All right. And, so, he never told  
02:05 10 you about taking markers out at casinos, incurring debt?

11 THE WITNESS: When I asked for all of the --

12 JUDGE BENAVIDES: And, so, therefore, you never made a  
13 request for after-the-fact permission, because he was hiding  
14 that from you?

02:05 15 THE WITNESS: I never knew about it, exactly.

16 Now, I will tell you, Judge, that, with both  
17 Judge Porteous and his wife, the -- the -- I mean, I was very  
18 careful to counsel them about how to fill out my worksheets,  
19 like I would anyone else, about the critical need to list all  
02:06 20 debts. So, there -- there was a discussion about that. And  
21 when I got all the debts, I thought, "This is all the debts."

22 JUDGE BENAVIDES: And there was a discussion also --  
23 would there have been discussion about his activity post filing  
24 with respect to his -- his payments pre-filing; that is, with  
02:06 25 specific regard to a payment of creditors within the time

02:06 1 frame -- specified time frame before filing?  
2 THE WITNESS: Yes, sir.  
3 JUDGE BENAVIDES: And that was made abundantly clear,  
4 also?  
02:06 5 THE WITNESS: That was. But I didn't anticipate and  
6 didn't expect to have a "yes" answer to that, because we  
7 reached a point when we were proposing the workout to the  
8 creditors that he -- it was obvious that either they went for  
9 the proposal that I had made or some variation of it or there  
02:06 10 would be a bankruptcy --  
11 JUDGE BENAVIDES: Yeah, but that --  
12 THE WITNESS: -- and, so, I told them to stop paying  
13 them.  
14 JUDGE BENAVIDES: -- that was -- that was your  
02:07 15 expectations of whether you would get a "yes" answer.  
16 Irrespective of whatever your anticipation would  
17 be, you asked the question, you went through it, and you were  
18 not told.  
19 THE WITNESS: That's true.  
02:07 20 JUDGE BENAVIDES: If, in fact, a debt that was  
21 incurred prior to that time was paid off in a preferential way,  
22 you asked about it and if -- and, since you did not set it  
23 forth in the application, you were not told about it?  
24 THE WITNESS: That's true.  
02:07 25 CHIEF JUDGE JONES: I just want to -- a couple of

02:07 1 questions about Regions Bank. You said you had not seen a --  
2 the renewal of the loan by Regions Bank. Is that right?

3 THE WITNESS: I didn't -- I didn't remember it, but  
4 something was pointed out to me that was in the file.

02:07 5 CHIEF JUDGE JONES: The January renewal?

6 THE WITNESS: Something Mr. Woods showed me.

7 CHIEF JUDGE JONES: All right, sir. And in that, it  
8 says that the debtor -- the borrower represents that there has  
9 been no material adverse change in his financial condition.

02:08 10 I suppose that that -- put yourself in the shoes  
11 of the banker. If you had known that your -- that your  
12 borrower had been negotiating workouts for six to eight months  
13 at that time, offering a 20 percent payout on debt, and that  
14 two -- at least two lawyers for -- for creditors had said they  
02:08 15 weren't willing to work, wouldn't you, as the lender, the bank  
16 in that case, regard that as a material change?

17 THE WITNESS: I think I would.

18 CHIEF JUDGE JONES: All right, sir. Thank you.

19 JUDGE BENAVIDES: How long after the decision was made  
02:08 20 to file bankruptcy did it take to prepare the papers and  
21 actually file the bankruptcy?

22 THE WITNESS: Probably not long because I had been  
23 working with it for some months and so it wasn't a matter of  
24 now I'm starting the bankruptcy when I had done nothing. So,  
02:08 25 I'm sure that it was -- it was a matter of reaching the point

02:09 1 where we could say that there was no hope of avoiding it.

2 JUDGE BENAVIDES: Would that have been when the  
3 creditors -- you say that one of those creditors called you up  
4 and said that there's no deal?

02:09 5 THE WITNESS: One of the lawyers I sent the package to  
6 which I had sent out to all of the creditors with the exception  
7 of Regions and -- they reviewed it, went to the client. The  
8 client said no, and that was it.

9 JUDGE BENAVIDES: And at that point were you  
02:09 10 authorized to make that decision yourself or did you have to  
11 communicate and talk to Judge Porteous about it?

12 THE WITNESS: Oh, no. We talked. And, you know --

13 JUDGE BENAVIDES: How long -- do you recall how long  
14 it took to make a decision with reference to that?

02:09 15 THE WITNESS: I think we were sort of waiting for the  
16 shoe to drop in that respect. Either they were going to go for  
17 the program -- which no one was responding. I couldn't get a  
18 callback. I would spend every other week calling, calling,  
19 calling. I couldn't get anybody willing to talk to me out of  
02:09 20 those credit card --

21 JUDGE BENAVIDES: Do you have -- this was a phone call  
22 that you received from the -- from the lawyer?

23 THE WITNESS: Yes, sir.

24 JUDGE BENAVIDES: Do you have any record or any memory  
02:10 25 of when that phone call was?



02:10 1 THE WITNESS: It had to have been within probably a  
2 couple of months at most from -- prior to the bankruptcy  
3 filing, I would think.

4 JUDGE BENAVIDES: All right. So, it took  
02:10 5 approximately two months from the last filing -- last shoe  
6 falling to actually file the petition?

7 THE WITNESS: That sounds about right.

8 JUDGE BENAVIDES: All right. Thank you.

9 MR. WOODS: Just a couple of questions to follow up.  
10 BY MR. WOODS:

11 Q. Mr. Lightfoot, just a couple of questions. In reviewing  
12 Exhibit 1, which is the certified copy of the bankruptcy file,  
13 there is a bill for services in there. You had to certify to  
14 the trustee about the amount of time you spent on the case. Is  
02:11 15 that correct?

16 A. Yes, sir.

17 Q. Does that reflect that you started on the case July  
18 the 20th?

19 A. It does.

02:11 20 Q. Okay. Were you aware that Judge Porteous got his first  
21 extension on the Regions Bank loan on July the 24th of 2000?

22 A. No, I didn't know that.

23 Q. Okay. In fact, you always thought that was an installment  
24 loan?

02:11 25 A. Yes, sir.

02:11 1 Q. Are you aware that, then, on January the 17th of 2001, he  
2 got a second extension on the Regions Bank loan?  
3 A. No, I didn't know that.  
4 Q. And, then, your counsel asked me to clarify something; and  
02:11 5 he's correct. You -- when you appeared at grand jury, you  
6 wanted to testify but Judge Porteous' counsel was instructing  
7 you to come out and check with him as to attorney-client  
8 communications and he would instruct you on behalf of  
9 Judge Porteous not to answer because that's attorney-client  
02:12 10 privilege. Is that correct?  
11 A. That's how it went.  
12 Q. That wasn't your option of refusing to testify; that was  
13 instructions from Judge Porteous' counsel?  
14 A. Yes, sir.  
02:12 15 Q. Okay. And, then, eventually the Department of Justice  
16 obtained the order ordering you to testify?  
17 A. That's right.  
18 Q. Okay.  
19 MR. WOODS: I think that clarifies it.  
02:12 20 CHIEF JUDGE JONES: All right.  
21 JUDGE LAKE: Thank you. You're excused.  
22 You may call your next witness.  
23 THE WITNESS: Thank you, your Honor.  
24 JUDGE LAKE: Please come forward, sir, and be sworn.  
02:13 25 Please raise your right hand.

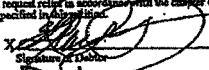

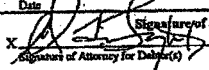
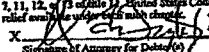
(Official Form 3 (8/97))

<b>United States Bankruptcy Court Eastern District of Louisiana</b>		<b>Voluntary Petition</b>															
FILED																	
Name of Debtor (if individual, enter Last, First, Middle): <b>Ortous, G. T.</b>		Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Ortous, C. A.</b>															
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):															
Soc. Sec./Tax I.D. No. (if more than one, state all):		Soc. Sec./Tax I.D. No. (if more than one, state all):															
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>P.O. Box 1723 Harvey, LA 70059-1723</b>		Street Address of Joint Debtor (No. & Street, City, State & Zip Code): <b>P.O. Box 1723 Harvey, LA 70059-1723</b>															
County of Residence or of the Principal Place of Business: <b>Jefferson Parish</b>		County of Residence or of the Principal Place of Business: <b>Jefferson Parish</b>															
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):															
Location of Principal Assets of Business Debtor (if different from street address above):		<b>n1-12363</b>															
<b>Information Regarding the Debtor (Check the Applicable Boxes)</b>																	
Verme (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																	
<b>Type of Debtor (Check all boxes that apply)</b> <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other _____ <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker		<b>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Sec. 504 - Case ancillary to foreign proceeding <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13															
<b>Nature of Debts (Check one box)</b> <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business <b>Chapter 11 Small Business (Check all boxes that apply)</b> <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and debts to be considered a small business under 11 U.S.C. § 1121(c) (Optional)		<b>Filing Fee (Check one box)</b> <input checked="" type="checkbox"/> Full Filing Fee Attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration verifying that the debtor is unable to pay the except in installments. Rule 1006(b). See Official Form No. 3.															
<b>Statistical/Administrative Information (Estimates only)</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		<b>THIS SPACE IS FOR COURT USE ONLY</b>															
Estimated Number of Creditors <table style="width: 100%; text-align: center;"> <tr> <td>1-13</td> <td>14-49</td> <td>50-99</td> <td>100-199</td> <td>200-799</td> <td>1000-over</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>			1-13	14-49	50-99	100-199	200-799	1000-over	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
1-13	14-49		50-99	100-199	200-799	1000-over											
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
Estimated Assets <table style="width: 100%; text-align: center;"> <tr> <td>to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million										
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										
Estimated Debts <table style="width: 100%; text-align: center;"> <tr> <td>to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50,000,001 to \$100 million</td> <td>More than \$100 million</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million										
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>										

SC00122

HP Exhibit 125

(Official Form 1) (3/97)

<b>Voluntary Petition</b> (This page must be completed and filed in every case)		Name of Debtor(s): E. T. Ortous C. A. Ortous		FORM B1, Page 2
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)				
Location Where Filed: NONE		Case Number:		Date Filed:
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)				
Name of Debtor: NONE		Case Number:		Date Filed:
Debtor:		Relationship:		Judge:
<b>Signatures</b>				
<b>Signature(s) of Debtor(s) (Individual/Joint)</b> I declare under penalty of perjury that the information provided in this petition is true and correct. If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7, I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. <input checked="" type="checkbox"/>  Signature of Debtor <input checked="" type="checkbox"/>  Signature of Joint Debtor Telephone Number (If not represented by attorney) 3-28-01 Date		<b>Signature of Debtor (Corporation/Partnership)</b> I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition. <input checked="" type="checkbox"/> Not Applicable Signature of Authorized Individual Printed Name of Authorized Individual Title of Authorized Individual Date		
<input checked="" type="checkbox"/>  Signature of Attorney for Debtor(s) Claude C. Lightfoot, Jr., LA 17989 Printed Name of Attorney for Debtor(s) / Bar No. Claude C. Lightfoot, Jr. P.C. Firm Name 3500 N. Causeway Blvd. Suite 450 Address Metairie, LA 70002 (504) 838-8571 (fax) (504) 838-857 Telephone Number 3-28-01 Date		<b>Signature of Non-Attorney Petition Preparer</b> I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. <input checked="" type="checkbox"/> Not Applicable Printed Name of Bankruptcy Petition Preparer Social Security Number Address Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. <input checked="" type="checkbox"/> Not Applicable Signature of Bankruptcy Petition Preparer Date A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.		
<b>Exhibit A</b> (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.				
<b>Exhibit B</b> (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner, certify that the debtor has read and understands the provisions of title 11, United States Code, and has explained the relief available under each chapter. <input checked="" type="checkbox"/>  Signature of Attorney for Debtor(s) Date 3-28-01				

SC00123

**United States Bankruptcy Court  
Eastern District of Louisiana**

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR**

The purpose of this notice is to acquaint you with the four chapters of the Federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

**Chapter 7: Liquidation (\$155.00 filing fee plus \$30.00 administrative fee plus \$15.00 trustee surcharge)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed the certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. Your attorney can explain the options that are available to you.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155.00 filing fee plus \$30.00 administrative fee)**

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

**Chapter 11: Reorganization (\$800.00 filing fee)**

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer (\$200.00 filing fee)**

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family owned farm.

I, the debtor, affirm that I have read this notice.

Date 2-28-01

Date 2-28-01

Date



G. A. Ortoles, Debtor

C. A. Ortoles, Joint Debtor

Case Number

SC00124

American Express Centurion Bank  
Suite 0002  
Chicago, IL 60679-0002

Bank of Louisiana Mastercard  
P.O. Box 6972  
Metairie, LA 70009-6972

Bank One  
P.O. Box 32490  
Louisville, KY 40232

First USA Bank, N.A.  
First USA Bank, N.A.  
P.O. Box 8864  
Wilmington, DE 19899-8864

Chase Platinum Mastercard  
P.O. Box 52050  
Phoenix, AZ 85072-2050

Citibank Advantage  
P.O. Box 6408  
The Lakes, NV 88901-6408

Citibank Advantage  
P.O. Box 6000  
The Lakes, NV 89163-6000

Citibank USA  
P.O. Box 15109  
Wilmington, DE 19850-5109

Citifinancial  
P.O. Box 17127  
Baltimore, MD 21297

Dillards  
P.O. Box 52079  
Phoenix, AZ 85072-2079

Dillard's  
P. O. Box 52067  
Phoenix, AZ 85072

Discover Platinum  
P.O. Box 6011  
Dover, DE 19903-6011

Edward F. Bukaty, III  
One Galleria Blvd.  
Suite 1810  
Metairie, LA 70001-2082

Fidelity Homestead Association  
222 Baronne Street  
New Orleans, LA 70112

First USA Bank  
P.O. Box 94014  
Palatine, IL 60094-4014

J.C. Penny  
P.O. Box 27570  
Albuquerque, NM 87125

Jules A. Fontana, III  
Fontana & Fontana, L.L.C.  
1022 Loyola Avenue  
New Orleans, LA 70113

MBNA America  
P.O. Box 15137  
Wilmington, DE 19886-5137

MBNA America  
P.O. Box 15019  
Wilmington, DE 19886-5019

MBNA America  
P.O. Box 15137  
Wilmington, DE 19886-5137

Regions Bank  
301 St. Charles Avenue  
New Orleans, LA 70130

Chrysler Credit Corporaiton.  
P. O. Box 7000  
Covington, LA 70434

(Official Form 1) (8/97)

01-12363 Section "A"

<b>FORM B1</b>		<b>United States Bankruptcy Court Eastern District of Louisiana</b>		<b>Voluntary Petition Amended</b>	
Name of Debtor (if individual, enter Last, First, Middle): <b>Porteous, Jr., Gabriel T.</b>			Name of Joint Debtor (Spouse)(Last, First, Middle): <b>Porteous, Carmella A.</b>		
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):			All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):		
Soc. Sec./Tax ID. No. (if more than one, state all): <b>[REDACTED]</b>			Soc. Sec./Tax ID. No. (if more than one, state all): <b>[REDACTED]</b>		
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>4801 Neyrey Drive Metairie, LA 70002</b>			Street Address of Joint Debtor (No. & Street, City, State & Zip Code): <b>4801 Neyrey Drive Metairie, LA 70002</b>		
County of Residence or of the Principal Place of Business: <b>Jefferson Parish</b>			County of Residence or of the Principal Place of Business: <b>Jefferson Parish</b>		
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):		
Location of Principal Assets of Business Debtor (if different from street address above):					
<b>Information Regarding the Debtor (Check the Applicable Boxes)</b>					
Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.					
<b>Type of Debtor (Check all boxes that apply)</b> <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other _____ <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker			<b>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13		
<b>Nature of Debts (Check one box)</b> <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business <b>Chapter 11 Small Business (Check all boxes that apply)</b> <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(c) (Optional)			<b>Filing Fee (Check one box)</b> <input checked="" type="checkbox"/> Full Filing Fee Attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1096(b). See Official Form No. 3.		
<b>Statistical/Administrative Information (Estimates only)</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					<b>THIS SPACE IS FOR COURT USE ONLY</b>
Estimated Number of Creditors 1-15      16-49      50-99      100-199      200-999      1000+ <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
Estimated Assets \$0 to \$50,000      \$50,001 to \$100,000      \$100,001 to \$500,000      \$500,001 to \$1 million      \$1,000,001 to \$10 million      \$10,000,001 to \$50 million      \$50,000,001 to \$100 million      More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
Estimated Debts \$0 to \$50,000      \$50,001 to \$100,000      \$100,001 to \$500,000      \$500,001 to \$1 million      \$1,000,001 to \$10 million      \$10,000,001 to \$50 million      \$50,000,001 to \$100 million      More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					

p2

SC00120

HP Exhibit 126



SC00121

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF LOUISIANA

IN THE MATTER OF

CASE NUMBER

Gabriel T. Porteous, Jr.  
Carmella A. Porteous

01-12363  
Section "A"

DEBTORS

CHAPTER 13

CHAPTER 13 SCHEDULES AND PLAN

Respectfully submitted,

CLAUDE C. LIGHTFOOT, JR., P.C.

Claude C. Lightfoot, Jr. (17989)  
3500 N. Causeway Blvd.  
Suite 450  
Metairie, LA 70002  
PH: (504) 838-8571  
Attorney for Debtors

13

SC00091

Form 86  
(4/96)United States Bankruptcy Court  
Eastern District of Louisiana

In re: Gabriel T. Porteous, Jr.

Carmella A. Porteous

Case No. 01-12363 Section "A"  
Chapter 13

## SUMMARY OF SCHEDULES

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	AMOUNTS SCHEDULED		
			ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 235,110.00		
B - Personal Property	YES	3	\$ 28,050.27		
C - Property Claimed as Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 158,278.13	
E - Creditors Holding Unsecured Priority Claims	YES	2		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	4		\$ 196,246.73	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Contingent	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 7,531.52
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 6,588.00
Total Number of sheets in ALL Schedules >		16			
Total Assets >			\$ 263,160.27		
Total Liabilities >				\$ 354,524.86	

SC00092

FORM 86A  
(9-90)In re: Gabriel T. Porteous, Jr.  
DebtorCarmelia A. PorteousCase No. 01-12363 Section "A"  
(if known)**SCHEDULE A - REAL PROPERTY**

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Family Home 4801 Noyray Drive Metairie, LA 70002	Community Property	C	\$ 235,110.00	\$ 158,278.13
Total			\$ 235,110.00	

(Report also on Summary of Schedule)

SC00093

PROPERTY VALUATION ANALYSIS

Value of Property	\$ 266,000.00
1 <sup>st</sup> Mortgage Balance	<u>113,279.54</u>
2nd Mortgage Balance	<u>44,998.59</u>
Homestead Exemption	25,000.00
Real Estate Commission (6% on 1 <sup>st</sup> 100k, 4% on bal.):	- <u>12,640.00</u>
Sales Price:	\$ 266,000.00
Less Real Estate Commission:	- <u>12,640.00</u>
Less Closing Costs:	- <u>1,000.00</u>
Less 1 <sup>st</sup> Mortgage	- <u>113,279.54</u>
Less 2nd Mortgage	- <u>44,998.59</u>
Homestead Exemption	- <u>25,000.00</u>
Trustee's Commission (25% on 1 <sup>st</sup> \$5k; 10% on bal. Up to \$50K, 5% on bal. Up to \$1M; 3 % over \$1M)	- <u>16,250.00</u>
Total Equity for Estate	\$ <u>51,831.87</u>

SC00094

FORM 963  
(10/89)In re Gabriel T. Porteous, Jr.  
DebtorCarmella A. PorteousCase No. 01-12363 Section "A"  
(If known)**SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	IS CO- OWNED	DESCRIPTION AND LOCATION OF PROPERTY	MAINTAINED SEPARATELY OR JOINTLY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and timeshare associations, or credit unions, brokerage houses, or cooperatives.		Bank One Checking Account No. [REDACTED]	C	100.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Household Goods and Furnishings	C	15,000.00
5. Books, pictures and other art objects, antiques, stamps, coins, records, tape, compact discs, and silver collections or collections.		Family Photos, Prints, etc.	C	250.00
6. Wearing apparel.		Wearing Apparel	C	3,000.00
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.		One Rifle	H	200.00
9. Interests in insurance policies. Name insurance company of each policy and describe surrender or refund value of each.	X			
10. Annuities. Describe and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Describe.		Federal Judicial Pension (unvested)	H	NO CASH VALUE
		Fidelity Investments IRA	C	9,500.27
12. Stock and interests in incorporated and unincorporated businesses. Describe.	X			
13. Interests in partnerships or joint ventures. Describe.	X			

SC00095

FORM 988  
(10/83)In re Gabriel T. Porteous, Jr.  
DebtorCarmella A. PorteousCase No. 01-12353 Section "A"  
(If known)**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	IF SPONSOR, TYPE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
14. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
15. Accounts receivable.	X			
16. Allowance, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		2000 Jeep Cherokee (Lease)	C	NO CASH VALUE
		2000 Jeep Cherokee (Lease)	C	NO CASH VALUE
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.	X			

SC00096

FORM 550  
(10-89)In re Gabriel T. Porteous, Jr.  
DebtorCarmella A. Porteous

Case No.

01-12363 Section "A"  
(If known)**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	MARKED VALUE FOR CREDITORS	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
2A. Inventory.	X			
2B. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Describe.	X			
2 continuation sheets attached			Total	\$ 28,050.27

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

SC00097



FORM 950  
(5-90)In re Gabriel T. Porteous, Jr.Carmella A. PorteousCase No. 01-12363 Section "A"

Debtor.

(If known)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemption to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. § 522(d)(1)

Exemptions provided in 11 U.S.C. § 522(d);

Note: These exemptions are available only in certain states.

☒ 11 U.S.C. § 522(b)(2)

Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY, WITHOUT DEDUCTING EXEMPTIONS
Family Home 4801 Neyrey Drive Metairie, LA 70002	La. RS 20:1, Const. Art. 12, § 9	25,000.00	235,110.00
Family Photos, Prints, etc.	La. RS 13:3881(A)(4)(a)	250.00	250.00
Federal Judicial Pension (unvested)	U.S.C. 28 § 376	NO CASH VALUE	NO CASH VALUE
Fidelity Investments IRA	La. RS 20:33(1)	8,500.27	8,500.27
Household Goods and Furnishings	La. RS 13:3881(A)(4)(a)	15,800.00	15,800.00
One Rifle	La. RS 13:3881(A)(4)(a)	200.00	200.00
Wearing Apparel	La. RS 13:3881(A)(4)(a)	3,000.00	3,000.00

SC000098

FORM 950  
(4/90)

In re: Gabriel T. Porteous, Jr.

Carmella A. Porteous

Case No. 01-12383 Section "A"

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	COLLATERAL TYPE, ACCOUNT OR INSTRUMENT	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	COMPLETED	UNPAID	PAID	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. [REDACTED] Bank One P.O. Box 32490 Louisville, KY 40232	C	Second Mortgage Family Home 4801 Noysey Drive Metairie, LA 70002 VALUE \$235,110.00				44,988.58	0.00
ACCOUNT NO. [REDACTED] Chrysler Credit Corporation. P. O. Box 7000 Covington, LA 70434	C	2000 Lease 2000 Jeep Cherokee (Lease) VALUE: NO CASH VALUE				0.00	N/A
ACCOUNT NO. [REDACTED] Chrysler Credit Corporation P. O. Box 7000 Covington, LA 70434	C	2000 Lease 2000 Jeep Cherokee (Lease) VALUE: NO CASH VALUE				0.00	N/A
ACCOUNT NO. [REDACTED] Fidelity Homestead Association 222 Baronne Street New Orleans, LA 70112	C	First Mortgage Family Home 4801 Noysey Drive Metairie, LA 70002 VALUE \$235,110.00				113,279.54	0.00

☐ Confirmation checks attachedSubtotal  
(Total of this page)  
Total  
(This and other pages)

\$158,278.13
\$158,278.13

(Report total also on Summary of Schedules)

SC00099

962  
(Rev. 4/98)

In re: Gabriel T. Porteous, Jr.

Carmella A. Porteous

Case No. 01-12363 Section "A"  
(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the entry of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,300\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,300\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$1,550\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Other Priority Debts**

\* Amounts are subject to adjustment on April 1, 2001, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 Continuation sheets attached

SC00100

FORM 922 - Cont.  
(10-83)to: Gabriel T. Porteous, Jr.  
DebtorCarmelia A. PorteousCase No. 01-12363 Section "A"  
(Filing)**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CREDITOR REMARKS, WHEN, HOW ON CREDIT	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONSENT		TOTAL AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
			UNEXERCISED	EXERCISED		
ACCOUNT NO.						

Sheet no. 1 of 1 sheets attached to Schedule of Creditors Holding Priority Claims

Subtotal (Total of this page)	\$0.00
Total (Sum of all pages of the completed Schedule E)	\$0.00

(Report this only on Summary of Schedules)

SC00101

FORM 1067 (05-04) Form 67 - (0/97)

In re: **Gabriel T. Porteous, Jr.**  
Debtor**Carmella A. Porteous**Case No. **01-12353 Section "A"**  
(If known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO-DEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONFIRMED	UNCONFIRMED	DELETED	AMOUNT OF CLAIM
ACCOUNT NO. <b>373755563682007</b> <b>American Express Centurion Bank</b> <b>Suite 0002</b> <b>Chicago, IL 60679-0002</b>	<b>C</b>	<b>1997-2000</b> <b>Credit Card</b>				<b>11,856.57</b>
ACCOUNT NO. <b>[REDACTED]</b> <b>Bank of Louisiana Mastercard</b> <b>P.O. Box 5972</b> <b>Metairie, LA 70008-5972</b>  <b>Jules A. Fontane, III</b> <b>Fontane &amp; Fontane, L.L.C.</b> <b>1822 Loyola Avenue</b> <b>New Orleans, LA 70113</b>	<b>C</b>	<b>1997-2000</b> <b>Credit Card</b>				<b>1,724.23</b>
ACCOUNT NO. <b>[REDACTED]</b> <b>Chase Platinum Mastercard</b> <b>P.O. Box 52050</b> <b>Phoenix, AZ 85072-2050</b>	<b>C</b>	<b>1997-2000</b> <b>Credit Card</b>				<b>30,196.82</b>
ACCOUNT NO. <b>[REDACTED]</b> <b>CRBank Advantage</b> <b>P.O. Box 8408</b> <b>The Lakes, NV 88901-6408</b>	<b>C</b>	<b>1997-2000</b> <b>Credit Card</b>				<b>23,987.39</b>
ACCOUNT NO. <b>[REDACTED]</b> <b>CRBank Advantage</b> <b>P.O. Box 8000</b> <b>The Lakes, NV 89163-8000</b>	<b>C</b>	<b>1997-2000</b> <b>Credit Card</b>				<b>20,719.58</b>

2 Continuation sheets attached

Subtotal

**\$89,483.59**

Total

**SC00102**

FORM 697 - Case  
(10/89)In re: Gabriel T. Porteous, Jr.  
DebtorCarmelle A. PorteousCase No. 01-12383 Section "A"  
(if known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CREDITORS HOLDING THIS CLAIM ON COMPANY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	COMMENT		AMOUNT OF CLAIM
			UNSECURED	DEFERRED	
ACCOUNT NO. [REDACTED]  CitiBank USA P.O. Box 15109 Wilmington, DE 19850-5109  CitiFinancial P.O. Box 17127 Baltimore, MD 21297  Edward F. Bulenty, III One Galleria Blvd. Suite 1510 Metairie, LA 70001-2082	C	1997-2000 Credit Card			17,711.35
ACCOUNT NO. [REDACTED]  Dillards P.O. Box 52079 Phoenix, AZ 85072-2079	C	1997-2000 Credit Card			4,673.92
ACCOUNT NO. [REDACTED]  Dillard's P. O. Box 52057 Phoenix, AZ 85072	C	2000 Credit Card			243.14
ACCOUNT NO. [REDACTED]  Discover Platinum P.O. Box 6011 Dover, DE 19903-6011	C	1997-2000 Credit Card			20,763.28

Sheet no. 1 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority  
ClaimsSubtotal  
(Must attach page)

Total

(Use only on last page of the completed Schedule F.)

843,411.57

SC00103

FORM 229 - Cont.  
(10/89)In re: Gabriel T. Porteous, Jr.

Debtor

Carmella A. PorteousCase No. 01-12363 Section "A"  
(If known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CO-DEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT		AMOUNT OF CLAIM
			UNPAID	PAID	
ACCOUNT NO. [REDACTED] First USA Bank P.O. Box 94014 Palatka, IL 60094-4014	C	1997-2000 Credit Card			6,848.24
ACCOUNT NO. [REDACTED] First USA Bank, N.A. First USA Bank, N.A. P.O. Box 8884 Wilmington, DE 19889-8884	C	1997-2000 Credit Card			6,757.42
ACCOUNT NO. [REDACTED] J.C. Penny P.O. Box 27970 Albuquerque, NM 87125	C	1997-2000 Credit Card			2,880.28
ACCOUNT NO. [REDACTED] MBNA America P.O. Box 15137 Wilmington, DE 19886-5137	C	2000-2001 Credit Card			3,212.80
ACCOUNT NO. [REDACTED] MBNA America P.O. Box 15018 Wilmington, DE 19886-5018	C	1997-2000 Credit Card			30,831.02

Sheet No. 2 of 2 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority  
ClaimsTotal  
(Total of this page)

(See page 1 of 2 page of the completed Schedule F2)

\$48,907.76

SC00104

**Carmella A. Porteous**

Case No. 01-12363 Section "A"  
(if known)

## (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CREDITOR HASBRO WAS RIGHT OR DOCUMENTARY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, GO STATE	CONTRACT INCURRED	DAMAGES	AMOUNT OF CLAIM
ACCOUNT NO. [REDACTED]  MIBNA America P.O. Box 16137 Wilmington, DE 19888-5137	C	1997-2000  Credit Card			29,443.71
ACCOUNT NO.  Regions Bank 301 St. Charles Avenue New Orleans, LA 70130	C	1999  Personal Loan			5,000.00

Sheet no. 2 of 2 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

State of the report

**Test 1**

plus only on last page of the completed Statement to F-3

	534,443.71
	\$196,248.73

(Please also see Directory of Education)

**SC00105**



Form 950  
(10/99)In re: Gabriel T. Porteous, Jr. Carmella A. Porteous  
DebtorCase No. 01-12363 Section "A"  
(If known)**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY, STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
Chrysler Credit Corporation P. O. Box 7000 Covington, LA 70434	2000 Jeep Cherokee
Chrysler Credit Corporation P. O. Box 7000 Covington, LA 70434	2000 Jeep Cherokee

SC00106

DEB  
(500)In re: Gabriel T. Porteous, Jr.  
DebtorCarmella A. PorteousCase No. 01-12263 Section "A"  
(if known)**SCHEDULE H - CODEBTORS**☒ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
------------------------------	------------------------------

SC00107

In re Gabriel T. Porteous, Jr.

Carmelia A. Porteous

Case No. 01-12383 Section "A"

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

Debtor's Marital Status: Married	DEPENDENTS OF DEBTOR AND SPOUSE		
Debtor's Age:	NAMES	AGE	RELATIONSHIP
Spouse's Age:	Catherine A. Porteous	19	Daughter
EMPLOYMENT:	DEBTOR	SPOUSE	
Occupation	Judge		
Name of Employer			
How long employed			
Address of Employer	United States of America 500 Camp Street New Orleans, LA 70130		

Income: (Estimate of average monthly income)

Current monthly gross wages, salary, and commissions  
(no rate if not paid monthly.)

Estimated monthly overtime

SUBTOTAL

LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify)

SUBTOTAL OF PAYROLL DEDUCTIONS

TOTAL NET MONTHLY TAKE HOME PAY

Regular income from operation of business or profession or farm  
(attach detailed statement)

Income from real property

Interest and dividends

Alimony, maintenance or support payments payable to the debtor for the  
debtor's use or that of dependents listed above.Social security or other government assistance  
(Specify)

Pension or retirement income

Other monthly income

(Specify)

TOTAL MONTHLY INCOME

TOTAL COMBINED MONTHLY INCOME

\$ 7,531.52

(Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following  
the filing of this document:

NONE

SC00108

**ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS  
EMPLOYEE EARNINGS STATEMENT**

D051AECNOLAE		MONTHLY	PAY PERIOD 06 ENDING 05/31/00	01007
LOUISIANA EASTERN		DISTRICT JUDGE & STAFF NEW ORLEANS		
PORTEOUS JR. G. THOMAS		UJ 00/05		
DIRECT DEPOSIT 065000029		RETIREMENT CODE 2		
		SALARY 141,300.00		
PAY PERIOD EARNINGS	DAYS	PAY	YTD EARNINGS	
REGULAR	30.0	11,775.00	70,266.66	
GROSS EARNINGS		11,775.00	70,266.66	
PAY PERIOD DEDUCTIONS		DEDUCTIONS	YTD DEDUCTIONS	
FICA		889.72	5,320.06	
FEDERAL TAX MS-M EXEMPT-02 EXTRA-0000		2,603.27	15,564.22	
STATE TAX LA MS-M EXEMPT-02 EXTRA-000		313.91	1,876.30	
HEALTH INSURANCE PLAN 105			135.03	
GOV/T LIFE INS. PLAN BASIC		48.36	288.48	
OPTION-A (STANDARD)		3.03	18.18	
OPTION-B (ADDITIONAL)		230.75	918.13	
OPTION-C (FAMILY)		9.75	19.50	
HEALTH INSURANCE PRE-TAX		144.69	723.45	
NET PAY		7,531.52		
<p>MESSAGES :</p> <p>THE FOLLOWING TWO CHANGES BECAME EFFECTIVE MAY 1, 2000:</p> <p>(1) FEDERAL EMPLOYEES GROUP LIFE INSURANCE ELECTIONS MADE DURING THE 1999 OPEN ENROLLMENT PERIOD</p> <p>(2) NEW LIFE INSURANCE RATES FROM OPTION C-FAMILY COVERAGE FOR AGES 65 AND OVER</p> <p>THESE CHANGES ARE REFLECTED IN THIS PAYCHECK.</p>				

SC00109

Form 122J  
(6/90)In re Gabriel T. Portanova, Jr.Carmella A. PortanovaCase No. 91-12383 Section "A"

Debtor

(If known)

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)

\$ 1,429.00

Are real estate taxes included?

Yes

☒

No

Is property insurance included?

Yes

☒

No

Utilities Electricity and heating fuel

\$ 360.00

Water and sewer

\$ 90.00

Telephone

\$ 200.00

Other

\$ 0.00

Home maintenance (repairs and upkeep)

\$ 200.00

Food

\$ 750.00

Clothing

\$ 525.00

Laundry and dry cleaning

\$ 100.00

Medical and dental expenses

\$ 300.00

Transportation (not including car payments)

\$ 250.00

Recreation, clubs and entertainment, newspapers, magazines, etc.

\$ 0.00

Charitable contributions

\$ 100.00

Insurance (not deducted from wages or included in home mortgage payments)

Homeowner's or renter's

\$ 0.00

Life

\$ 0.00

Health

\$ 0.00

Auto

\$ 350.00

Other

\$ 0.00

Taxes (not deducted from wages or included in home mortgage payments)

\$ 0.00

(Specify)

Installment payments (in chapter 12 and 13 cases, do not list payments to be included in the plan)

Auto

\$ 330.00Other Second Car Lease\$ 330.00Second Mortgage on Family Home\$ 485.00

Alimony, maintenance or support paid to others

\$ 0.00

Payments for support of additional dependents not living at your home

\$ 600.00

Regular expenses from operation of business, profession, or farm (attach detailed statement)

\$ 0.00Other Cable Television\$ 45.00

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 6,589.00

[FOR CHAPTER 12 AND 13 DEBTORS ONLY]

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income

\$ 7,531.52

B. Total projected monthly expenses

\$ 6,589.00

C. Excess income (A minus B)

\$ 951.52

D. Total amount to be paid into plan each

Monthly  
(interval)\$ 875.00

SC00110

In re: Gabriel T. Porteous, Jr.

Carmella A. Porteous

Case No.

**DECLARATION CONCERNING DEBTOR'S SCHEDULES****DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR.**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of  
page, and that they are true and correct to the best of my knowledge, information, and belief.

16 sheets plus the summary

Date:

4-9-01

Signature:

Gabriel T. Porteous, Jr.

Date:

4-9-01

Signature:

Carmella A. Porteous

(If joint case, both spouses must sign)

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF CORPORATION OR PARTNERSHIP**

(NOT APPLICABLE)

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.

SC00111

## UNITED STATES BANKRUPTCY COURT

Eastern District of Louisiana

In re: Gabriel T. Porteous, Jr.,

Carmella A. Porteous

Case No. 01-12363 Section "A"

Chapter 13

## STATEMENT OF FINANCIAL AFFAIRS

## 1. Income from employment or operation of business

- None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
148,450.00	Joint Gross Income	1999
148,799.00	Joint Gross Income	2000
35,325.00	Joint Gross Income	2001

## 2. Income other than from employment or operation of business

- None ☒ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 3. Payments to creditors

- None ☐ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
Normal Installments			

- None ☒ b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 4. Suits and administrative proceedings, executions, garnishments and attachments

- None ☒ a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

8C00112

- None ☒ 6. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 5. Repossessions, foreclosures and returns

- None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

- None ☒ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

- None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

- None ☒ List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 8. Losses

- None ☒ List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 9. Payments related to debt counseling or bankruptcy

- None ☒ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

SC00113



## 10. Other transfers

- None ☒ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 11. Closed financial accounts

- None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 12. Safe deposit boxes

- None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 13. Setoffs

- None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

## 14. Property held for another person

- None ☒ List all property owned by another person that the debtor holds or controls.

## 15. Prior address of debtor

- None ☒ If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

## 16. Nature, location and name of business

None

☒

a. If the debtor is an individual, list the names and addresses of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within two years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the two years immediately preceding the commencement of this case.

b. If the debtor is a partnership, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities, within the two years immediately preceding the commencement of this case.

c. If the debtor is a corporation, list the names and addresses of all business in which the debtor was a partner or owned 5 percent or more of the voting securities within two years immediately preceding the commencement of this case.

## 17. Books, records and financial statements

None

☒

a. List all bookkeepers and accountants who within six years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

None

☒

b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None

☒

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None

☒

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

## 18. Inventories

None

☒

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

None

☒

b. List the name and address of the person having possession of the records of each of the two inventories reported in 18a., above.

## 19. Current Partners, Officers, Directors and Shareholders

None

☒

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

SC00115

None ☒ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

**20. Former partners, officers, directors and shareholders**

None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

None ☒ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

**21. Withdrawals from a partnership or distributions by a corporation**

None ☒ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

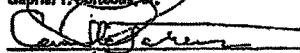
Date 4-9-00

Signature  
of Debtor

  
Gabriel T. Porteous, Jr.

Date 4-9-01

Signature  
of Joint  
Debtor

  
Carmella A. Porteous

SC00116

UNITED STATES BANKRUPTCY COURT  
Eastern District of Louisiana

In re: Gabriel T. Porteous, Jr.

Cathella A. Porteous

Case No. 01-12363 Section "A"  
Chapter 13

## CHAPTER 13 PLAN

## NOTICE

THIS PLAN CONTAINS EVIDENTIARY MATTER WHICH, IF NOT CONTROVERTED, MAY BE ACCEPTED BY THE COURT AS TRUE. CREDITORS CANNOT VOTE ON THIS PLAN BUT MAY OBJECT TO ITS CONFIRMATION PURSUANT TO BANKRUPTCY CODE § 1324, AND LOCAL RULES. ASSENT ANY SUCH OBJECTION, THE COURT MAY CONFIRM THIS PLAN AND ACCEPT THE VALUATION AND ALLEGATIONS CONTAINED HEREIN.

The Debtor(s) above named hereby proposes the following plan.

1. Debts. All debts are provided for by this Plan. Only creditors holding claims duly proved and allowed shall be entitled to payments from the Trustee. (See Notice of Filing of Bar Date.) Trustee shall not file a claim on behalf of any creditor.

2. Payments. As of the date of this plan, the debtor has paid \$4.00 to the Trustee. Debtor and/or any entity from whom the debtor(s) receive income shall pay to the Trustee the sum of \$478.00 Monthly, commencing April 28, 2001, for 36 months for a total of \$17,208.00 or until such amounts are paid that will afford payment of all allowed and proven claims in the amounts payable under this Plan.

Gratuities Payments:	BEGIN MONTH	# OF MONTHS	ADJUSTMENT
----------------------	-------------	-------------	------------

3. Plan Payments. The Trustee, from available funds, shall make payments to creditors in the following amounts and order. All dates for beginning of payments are estimates only and may be adjusted by the Trustee as necessary to carry out the terms of this plan.

A. DEBTOR'S ATTORNEY	FEE REQUESTED	PAID TO DATE	BALANCE DUE	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
				PAYMENT	MONTH	LENGTH	
Claude C. Lightfoot, Jr.	1,750.00	0.00	1,750.00	83.33	1	2	1,750.00
	0.00	0.00		83.34	3	1	

B. Marriage Arrears. (Regular monthly payments to be made by Debtor and to start on the first due date after date of filing petition.)

CREDITOR	RATE	ARREARS	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
			PAYMENT	MONTH	LENGTH	
NONE						

C. Secured Claims. (A creditor's secured claim shall be the net amount due as of date of filing or the value of the collateral to which creditor's lien attaches, whichever is less. Interest shall be allowed at contract rate or 8.00% APR whichever is less. Creditor shall retain its lien until the allowed secured portion of the claim is fully paid.)

CREDITOR & COLLATERAL	RATE	CLAIM	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
			PAYMENT	MONTH	LENGTH	
I. Secured Claims - Paid in full						
NONE						
II. Secured Claims - Cure default only						
NONE						

In re: **Gabriel T. Porteous, Jr.****Carmella A. Porteous**Case No. **01-12363 Section "A"**  
Chapter **13****D. Priority Claims.** (Unsecured claims entitled to priority under 11 U.S.C. § 507 shall be paid in full as follows.)

CREDITOR	PRIORITY CLAIM	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
		PAYMENT	MONTH	LENGTH	

**E. Separate Class of Unsecured Claims.** (May include co-signed debts as provided for by 11 U.S.C. § 1304, including interest at contract rate.)

CREDITOR & CLASSIFICATION	UNSECURED CLAIM RATE	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
		PAYMENT	MONTH	LENGTH	

**F. Unsecured Creditors.** (All other creditors not scheduled above are deemed unsecured without priority and shall be paid pro rata from funds remaining after payment of above scheduled claims. Debtor estimates the unsecured claims to total \$ 193,033.93, and proposes to provide at least \$ 21,288.00 which will pay in full said creditors' claims, or in no event, provide a composition percentage of less than 14.63%. (Funds Provided/Unsecured Claims)

**G. Lien Avoidance.** (Debtor intends to file a motion, pursuant to Bankruptcy Rule 4003(d) to avoid all nonpossessory, nonpurchase money security interests and judicial liens as provided by 11 U.S.C. § 522(f), and the plan herein provides for payment of such liens as general unsecured claims only. Any creditors' claim or portion thereof not listed in paragraph C above is to be treated as unsecured and, unless objected to, such unsecured status, for purposes of this plan, will be binding upon confirmation, but the lien shall survive unless avoided.)

**H. Leases and Contracts.** The Debtor hereby assumes the following unexpired leases and executory contracts, and rejects all others.

NAME OF CREDITOR	DESCRIPTION
Chrysler Credit Corporation	2000 Jeep Cherokee
Chrysler Credit Corporation	2000 Jeep Cherokee

**I. Miscellaneous Provisions.**

Debtors assume the vehicle leases with Chrysler Credit.

**4. Secured Claims - Paid directly by debtor(s).** The following creditors' claims are fully secured, shall be paid directly by the debtors, and receive no payments under paragraph 3 above:

CREDITOR	COLLATERAL	MARKET VALUE	AMOUNT OF CLAIM
NONE			

**5. Future Income.** Debtor(s) submits all future earnings or other future income to such supervision and control of the Trustee as is necessary for the execution of this Plan.**6. Standing Trustee Percentage Fee.** Pursuant to 28 U.S.C. § 586(e)(5), the Attorney General, after consultation with the United States Trustee, sets a percentage fee not to exceed ten percent of payments made to creditors by the Trustee under the terms of this Plan.

UNITED STATES BANKRUPTCY COURT  
Eastern District of Louisiana

In re: Gabriel T. Porteous, Jr.

Carmella A. Porteous

Case No. 01-12383 Section "A"  
Chapter 13

FILED

## AMENDED - CHAPTER 13 PLAN

2001 MAY 29 A 9:27

## NOTICE

CLERK  
UNITED STATES  
BANKRUPTCY COURT

THIS PLAN CONTAINS EVIDENTIARY MATTER WHICH, IF NOT CONTROVERTED, MAY BE ACCEPTED BY THE COURT AS TRUE. CREDITORS CANNOT VOTE ON THIS PLAN BUT MAY OBJECT TO ITS CONFIRMATION PURSUANT TO BANKRUPTCY CODE § 1324, AND LOCAL RULES. ABSENT ANY SUCH OBJECTION, THE COURT MAY CONFIRM THIS PLAN AND ACCEPT THE VALUATION AND ALLEGATIONS CONTAINED HEREIN.

The Debtor(s) above named hereby proposes the following plan.

1. Debts. All debts are provided for by this Plan. Only creditors holding claims duly proved and allowed shall be entitled to payments from the Trustee. (See Notice of Filing of Bar Date.) Trustee shall not file a claim on behalf of any creditor.

2. Payments. As of the date of this plan, the debtor has paid \$0.00 to the Trustee. Debtor and/or any entity from whom the debtor(s) receive income, shall pay to the Trustee the sum of \$1,800.00 Monthly, commencing April 28, 2001, for 36 months for a total of \$67,800.00 or until such amounts are paid (but not) until payment of all allowed and proven claims in the amounts payable under this Plan.

Graduated Payments: BEGIN MONTH \$ OF MONTHS ADJUSTMENT

3. Plan Payments. The Trustee, from available funds, shall make payments to creditors in the following amounts and order. All dates for beginning of payments are estimates only and may be adjusted by the Trustee as necessary to carry out the terms of this plan.

A. DEBTOR'S ATTORNEY	FEE REQUESTED	PAID TO DATE	BALANCE DUE	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
				PAYMENT	MONTH	LENGTH	
Claude C. Lightfoot, Jr.	1,750.00	0.00	1,750.00	1,523.81	1	1	1,750.00
	0.00	0.00		226.19	2	1	

B. Mortgage Arrears. (Regular monthly payments to be made by Debtor and to start on the first due date after date of filing petition.)

CREDITOR	RATE	ARREARS	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
			PAYMENT	MONTH	LENGTH	
NONE						

C. Secured Claims. (A creditor's secured claim shall be the net amount due as of date of filing or the value of the collateral to which creditor's lien attaches, whichever is less. Interest shall be allowed at contract rate or 8.00% APR whichever is less. Creditor shall retain its lien until the allowed secured portion of the claim is fully paid.)

CREDITOR & COLLATERAL	RATE	CLAIM	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
			PAYMENT	MONTH	LENGTH	
1. Secured Claims - Paid in full						
NONE						
2. Secured Claims - Cure default only						
NONE						

In re: **Gabriel T. Porteous, Jr.** **Carmella A. Porteous** Case No. **01-12363 Section "A"**  
Chapter **13**

**D. Priority Claims.** (Unsecured claims entitled to priority under 11 U.S.C. § 507 shall be paid in full as follows.)

CREDITOR	PRIORITY CLAIM	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
		PAYMENT	MONTH	LENGTH	

**E. Separate Class of Unsecured Claims.** (May include co-signed debts as provided for by 11 U.S.C. § 1301, including interest at contract rate.)

CREDITOR & CLASSIFICATION	RATE	UNSECURED CLAIM	— PAYMENT SCHEDULE —			TOTAL PAYMENTS
			PAYMENT	MONTH	LENGTH	

**F. Unsecured Creditors.** (All other creditors not scheduled above are deemed unsecured without priority and shall be paid pro rata from funds remaining after payment of above scheduled claims. Debtor estimates the unsecured claims to total \$ 183,033.88, and proposes to provide at least \$83,197.44 which will pay in full said creditors' claims, or in no event, provide a composition percentage of less than 27.51%. (Funds Provided/Unsecured Claims)

**G. Lien Avoidance.** (Debtor intends to file a motion, pursuant to Bankruptcy Rule 4003(d) to avoid all nonpossessory, nonpurchase money security interests and judicial liens as provided by 11 U.S.C. § 542(f), and the plan herein provides for payment of such liens as general unsecured claims only. Any creditors' claim or portion thereof not listed in paragraph C above is to be treated as unsecured and, unless objected to, such unsecured status, for purposes of this plan, will be binding upon confirmation, but the lien shall survive unless avoided.

**H. Leases and Contracts.** The Debtor hereby assumes the following unexpired leases and executory contracts, and rejects all others.

NAME OF CREDITOR	DESCRIPTION
Chrysler Credit Corporation	2000 Jeep Cherokee
Chrysler Credit Corporation	2000 Jeep Cherokee

**I. Miscellaneous Provisions.**

Debtors assume the vehicle leases with Chrysler Credit.

**4. Secured Claims - Paid directly by debtor(s).** The following creditors' claims are fully secured, shall be paid directly by the debtors, and receive no payments under paragraph 3 above:

CREDITOR	COLLATERAL	MARKET VALUE	AMOUNT OF CLAIM
NONE			

**5. Future Income.** Debtor(s) submits all future earnings and other future income to such supervision and control of the Trustee as is necessary for the execution of this Plan.

**6. Standing Trustee Percentage Fee.** Pursuant to 28 U.S.C. § 506(e)(3), the Attorney General, after consultation with the United States Trustee, sets a percentage fee not to exceed ten percent of payments made to creditors by the Trustee under the terms of this Plan.

In re: **Gabriel T. Porteous, Jr.****Carmella A. Porteous**Case No. 01-12363 Section "A"  
Chapter 13**SUMMARY AND ANALYSIS OF PLAN PAYMENTS TO BE MADE BY TRUSTEE****A. Total debt provided under the Plan and administrative expenses**

1. Attorney Fees	0.00
2. Mortgage Arrears	0.00
3. Secured Claims	0.00
4. Priority Claims	0.00
5. Separate Class of Unsecured Claims	53,107.14
6. All other unsecured claims	53,107.14
Total payments to above Creditors	54,557.14
Trustee percentage	2,742.86
* Total Debtor payments to the Plan	57,300.00

\* Total payments must equal total of payments set forth in paragraph 2 on page 1 of this Plan.

**B. Reconciliation with Chapter 7**

1. Interest of unsecured creditors if Chapter 7 filed	
a. Total property of debtor	263,180.27
b. Property securing debt	158,278.13
c. Exempt property	52,950.27
d. Priority unsecured claims	0.00
e. Chapter 7 trustee fee	8,595.59
f. Funds for Chapter 7 distribution (est.)	48,338.28
2. Percent of unsecured, nonpriority claims paid under Plan	27.51
3. Percent of unsecured, nonpriority claims paid if Chapter 7 filed (est.)	28.90

**Attorney for Debtor(s):****Claude C. Lightfoot, Jr.**  
LA 17988**Claude C. Lightfoot, Jr. P.C.**  
3500 N. Causeway Blvd.  
Suite 450  
Metairie, LA 70002Phone: 504-838-8571  
Fax: 504-838-8572Signed:   
Claude C. Lightfoot, Jr.Signed: 

Gabriel T. Porteous, Jr., Debtor

Signed: 

Carmella A. Porteous, Joint Debtor

Dated: 5-29-01



<b>United States Bankruptcy Court</b> EASTERN DISTRICT OF LOUISIANA		Case Number 01-12363
NOTICE OF COMMENCEMENT OF CASE UNDER CHAPTER 13 OF THE BANKRUPTCY CODE, MEETING OF CREDITORS, AND FIXING OF DATE		
In Re <b>GABRIEL T PORTEOUS JR</b> <b>CARMELLA A PORTEOUS</b>  PO BOX 1723 HARVEY LA 70059		FILED 2001 APR 19 1P 28 CLERK UNITED STATES BANKRUPTCY COURT NEW ORLEANS, LA
Date Case Filed (or converted to Chapter 13): Mar 28, 2001	Deadline to file a proof of claim: Aug 07, 2001	
<p>COMMENCEMENT OF CASE. An individual's debt adjustment case under chapter 13 of the Bankruptcy Code has been filed in this court by the debtor or debtors named above, and an order for relief has been entered. You will not receive notice of all documents filed in this case. All documents filed with the court, including lists of the debtor's property and debts, are available for inspection at the office of the clerk of the bankruptcy court.</p> <p>CREDITORS MAY NOT TAKE CERTAIN ACTIONS. A creditor is anyone to whom the debtor owes money. Under the Bankruptcy Code, the debtor is granted certain protection against creditors. Common examples of prohibited actions by creditors are contacting the debtor to demand repayment, taking action against the debtor to collect money owed to creditors or to take property of the debtor, and starting or continuing foreclosure actions, repossessions, or wage deductions. Some protection is also given to certain creditors of consumer debts. If unauthorized actions are taken by a creditor against a debtor, or a protected creditor, the court may punish that creditor. A creditor who is considering taking action against the debtor or the property of the debtor, or any codebtor, should review §§ 362 and 1301 of the Bankruptcy Code and may wish to seek legal advice. The staff of the clerk of the bankruptcy court is not permitted to give legal advice, nor is the Trustee's staff.</p> <p>MEETING OF CREDITORS. The debtor (both husband and wife in a joint case) is required to appear at the meeting of creditors on the date and at the place set forth below in the box labeled "Date, Time, and Location of Meeting of Creditors" for the purpose of being examined under oath. Attendance by creditors at the meeting is welcome, but not required. At the meeting, the creditors may examine the debtor and transact such other business as may properly come before the meeting. The meeting may be continued or adjourned from time to time by notice at the meeting, without further written notice to the creditors. The plan may be amended at the meeting of creditors without further written notice.</p> <p>PROOF OF CLAIM. Except as otherwise provided by law, in order to share in any payment from the estate, a creditor must file a proof of claim by the date set forth above in the box labeled "Deadline to file a proof of claim". The place to file the proof of claim, either in person or by mail, is the office of the clerk of the bankruptcy court. <i>Proofs of claim must be filed in duplicate.</i></p> <p>PURPOSE OF A CHAPTER 13 FILING. Chapter 13 of the Bankruptcy Code is designed to enable a debtor to pay debts in full or in part over a period of time pursuant to a plan. A plan is not effective unless approved by the bankruptcy court at a confirmation hearing. Creditors will be given notice in the event the case is dismissed or converted to another chapter of the Bankruptcy Code.</p>		
<b>DATE, TIME AND LOCATION OF MEETING OF CREDITORS</b> 400 Poydras Street, Room 2112, New Orleans, Louisiana		
<b>DATE, TIME AND LOCATION OF HEARING ON CONFIRMATION OF PLAN</b> May 29, 2001 at 10:00 AM United States Bankruptcy Court, 501 Magazine Street, Room 709, New Orleans, Louisiana		
<b>SUMMARY OF PLAN AS FILED BY THE DEBTOR</b> 875.00 MONTHLY		
The debtor proposes payments to the trustee of \$ <u>875.00</u> MONTHLY for approximately <u>36</u> months Unsecured non-priority claims are to be paid at <u>14.63</u> %		
Address of Clerk of the Bankruptcy Court UNITED STATES BANKRUPTCY COURT 501 MAGAZINE STREET ROOM 601 NEW ORLEANS LA 70130	Name and Address of Trustee S J BEAULIEU JR 433 METAIRIE ROAD SUITE 515 METAIRIE LA 70005  Telephone Number (504) 838-1313	
To:  Name and Address of Attorney for Debtor STE 450 3500 N CAUSEWAY BLVD METAIRIE LA 70002	Telephone Number (504) 838-8571	

COURT COPY

SC00085

HP Exhibit 128

<b>United States Bankruptcy Court</b> <b>Eastern District of Louisiana</b>		<b>PROOF OF CLAIM</b>	
<b>In re (Name of Debtor)</b>		<b>Case Number</b> <span style="float: right;"><b>Chapter 13</b></span>	
<small>Note: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 USC 503.</small>		<b>Claim Number</b> <span style="float: right;"><b>(REQUIRED - Found on Notice)</b></span>	
<b>(Name of Creditor (Person or entity to whom the debtor owes money))</b>		<input type="checkbox"/> Check box if this claim amends or replaces a previously filed claim dated: _____	
<b>Address where payments should be mailed:</b>		<b>Date debt was incurred:</b> _____	
		<b>If court judgment, date obtained:</b> _____	
		<b>Court rendering judgment:</b> _____	
<b>Account or other number by which creditor identifies debtor</b>		<b>Creditor's telephone no.</b>	
<small>(This number will appear on all checks to the creditor)</small>			
<b>1. BASIS FOR CLAIM</b>			
<input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other (Describe briefly): _____		<input type="checkbox"/> Past due benefits as defined in 11 USC 1114(a) <input type="checkbox"/> Wages, salaries and commissions (Fill out below)  Your Social Security Number: _____  Unpaid compensation for services performed from: _____ to _____ <div style="text-align: center;">             (date) <span style="margin-left: 100px;">(date)</span> </div>	
<b>2. CLASSIFICATION OF CLAIM</b> (Under the Bankruptcy Code, all claims are classified as one or more of the following: (1) secured, (2) unsecured non-priority, (3) unsecured priority. It is possible for part of a claim to be in one category and part in another.)			
<input type="checkbox"/> <b>Secured claim:</b> \$ _____ <small>Attach evidence of perfection of security interest</small> <small>Amount of arrearage included in secured claim, if any:</small> \$ _____  <input type="checkbox"/> <b>Unsecured nonpriority claim:</b> \$ _____ <small>A claim is unsecured if there is no collateral or lien on property of the debtor securing the claim, or to the extent that the value of such property is less than the amount of the claim.</small>		<input type="checkbox"/> <b>Unsecured priority claim:</b> \$ _____  <small>Specify the priority of the claim (use 11 USC 507):</small>  <input type="checkbox"/> Wages, salaries or commissions <input type="checkbox"/> Contributions to an employee benefit plan <input type="checkbox"/> Deposits toward purchase, lease or rental of property or services for personal, family, or household use <input type="checkbox"/> Taxes or penalties of government units <input type="checkbox"/> Other (describe briefly): _____	
<b>3. TOTAL AMOUNT OF CLAIM AT THE TIME THE CASE WAS FILED:</b>			
\$ _____ secured      \$ _____ unsecured      \$ _____ priority      \$ _____ <b>TOTAL CLAIM</b>			
<b>4. CREDITS AND SETOFFS:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes to the debtor.			
<b>5. SUPPORTING DOCUMENTS:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.			
<b>6. TIME-STAMPED COPY:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and an extra copy of this proof of claim.			
<b>7. INTEREST:</b> If you are to be paid interest, calculate the amount of interest payable over the length of the plan and include that amount in your claim.			
<b>8. CHAPTER 13 PROOFS OF CLAIM MUST BE FILED IN DUPLICATE.</b>			
<b>Date</b> _____		<b>Sign and print the name and title, if any, of the creditor or other person authorized to file this claim</b> _____	
<b>PENALTY FOR PRESENTING FRAUDULENT CLAIM: FINE UP TO \$500,000, IMPRISONMENT UP TO 5 YEARS, OR BOTH. 18 USC §§ 152 &amp; 3571</b>			

SC00086

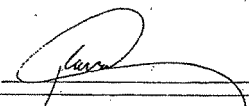
# Certificate of Service

I certify that notice of the entry of the order for relief and notice of the time and place of the §341 meeting of creditors was sent by first class mail to the below listed parties at the addresses supplied as follows:

ABRIEL T PORTEOUS JR ARMELLA A PORTEOUS PO BOX 1723 HARVEY LA 70059	CLAUDE C LIGHTFOOT JR STE 450 3500 N CAUSEWAY BLVD METAIRIE LA 70002	DEPT OF REVENUE AND TAXATION P O BOX 66658 BATON ROUGE LA 70896	U S ATTORNEY'S OFFICE ROOM 210 501 MAGAZINE STREET NEW ORLEANS LA 70130
BANK ONE PO BOX 32490 LOUISVILLE KY 40232	CHRYSLER FINANCIAL PO BOX 7000 COVINGTON LA 70434	FIDELITY HOMESTEAD 222 BARRONE ST NEW ORLEANS LA 70112	AMERICAN EXPRESS SUITE 0002 CHICAGO IL 60679
BANK OF LOUISIANA PO BOX 6972 METAIRIE LA 70009	JULES FONTANA ATTY 1022 LOYOLA AVE NEW ORLEANS LA 70113	CHASE BANKCARD SERVICES PO BOX 52050 PHOENIX AR 85072	CITIBANK PO BOX 6408 THE LAKES NV 88901
CITIBANK PO BOX 6000 THE LAKES NV 88901	CITIBANK PO BOX 15109 WILMINGTON DE 19850	CITIFINANCIAL INVESTMENT RECOVERY PO BOX 17127 BALTIMORE MD 21297	EDWARD F. BUKATY III STE 1810 ONE GALLERIA BLVD METAIRIE LA 70001
DILLARDS NATIONAL BANK PO BOX 52079 PHOENIX AZ 85072	DILLARDS PO BOX 52067 PHOENIX AZ 85092	DISCOVER PO BOX 6011 DOVER DE 19903	FIRST USA BANK PO BOX 94014 PALATINE IL 60094
FIRST USA PO BOX 8864 WILMINGTON DE 19899	JC PENNEY PO BOX 27570 ALBUQUERQUE NM 87125	MBNA AMERICA PO BOX 15137 WILMINGTON DE 19850	MBNA AMERICA PO BOX 15019 WILMINGTON DE 19886
MBNA AMERICA PO BOX 15137 WILMINGTON DE 19850	REGIONS BANK OF LA 301 ST CHARLES AVE NEW ORLEANS LA 70130		

CASE #01-12363

April 18, 2001



SC00087

7

# United States Bankruptcy Court

Eastern District of Louisiana

In re:

Chapter 13

GABRIEL T PORTEOUS JR  
CARMELLA A PORTEOUS

2001 MAY 15 P 12:50

Case #01-12363

CLERK  
UNITED STATES  
BANKRUPTCY COURT

## TRUSTEE'S MEMO TO RECORD

At the \$341 Meeting of Creditors held today in this case,  
S. J. Beaulieu, Jr., Chapter 13 Trustee, presiding, the  
following determinations were reached:

- ☒ Debtor(s) present.
- ☒ Debtor's attorney present, CLAUDE C LIGHTFOOT JR
- ☐ Plan is confirmable; 14.63% to unsec creds, 36 months.
- ☐ Meeting is continued.
- ☐ Debtor(s) not present; Trustee to request dismissal.
- ☐ Schedules not filed; Trustee to request dismissal.
- ☒ Plan is not confirmable; Trustee objects to confirmation.
- ☐ Objection(s) filed by creditor(s).
- ☐ Case converted to Chapter \_\_\_\_\_.
- ☐ Trustee requests amendment and/or more information.
- ☐ Other:

New Orleans, May 09, 2001.

*S. J. Beaulieu Jr*  
S. J. Beaulieu, Jr.  
Chapter 13 Trustee

27

SC00083

HP Exhibit 129